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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

TONY L. WARE, CEO and )  
T. L. WARE BOTTLING COMPANY, )  
INC. )  
Plaintiffs, )  
v. ) Civil Action  
FLEETBOSTON FINANCIAL CORP., ) File No. 1:05-CV-0426MHS  
f/k/a BANKBOSTON CORP., )  
Defendant. )  
)

APPENDIX IN SUPPORT OF  
DEFENDANT'S RULE 12 AND RULE 60 MOTIONS

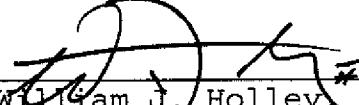
- Exhibit A Certified copies of the pleadings filed in Tony L. Ware v. Fidelity Acceptance, Corp., Fidelity Financial Services, Inc., Admiral Life Insurance Company, and Martin L. Lane, Manager, Civil Action File No. E32381 in the Superior Court of Fulton County
- Exhibit B Certified copy of Directed Verdict Order in Tony L. Ware v. Fidelity Acceptance, Corp., Fidelity Financial Services, Inc., Admiral Life Insurance Company, and Martin L. Lane, Manager, Civil Action File No. E32381 in the Superior Court of Fulton County
- Exhibit C Judge Bonner's Appellee Brief in Tony L. Ware v. Alice D. Bonner, \_\_\_ Ga. \_\_\_, 585 S.E.2d 621 (2003)
- Exhibit D Second Affidavit of Martha R. Francis
- Exhibit E Plaintiffs' Affidavit of Service of Process

Exhibit F Affidavit of Attorney William J. Holley, II  
Exhibit G Affidavit of Cristina Sanabria  
Exhibit H Plaintiffs' Certificate of Default  
Exhibit I Order Presented by Plaintiffs to Judge Gino Brogdon  
Exhibit J Order entered sua sponte by Judge Bensonetta Tipton Lane  
Exhibit K Order Presented by Plaintiffs to Judge Jerry W. Baxter  
Exhibit L Affidavit of The Honorable Jerry W. Baxter  
Exhibit M Plaintiffs' Notice of Appeal  
Exhibit N Copy of the Fulton County Superior Court docket for *Tony L. Ware CEO, CEO and T.L. Ware Bottling Co., Inc. v. FleetBoston Corp.*, Civil Action File No. 2004 CV 94553 in the Superior Court of Fulton County

Respectfully submitted,

**PARKER, HUDSON, RAINER & DOBBS LLP**

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